



STATE OF WASHINGTON
DEPARTMENT OF HEALTH
Olympia, Washington 98504

RE: Jess Jay McCall
Master No.: M2010-568
Document: Notice of Decision

Regarding your request for information about the above-named practitioner, certain information may have been withheld pursuant to Washington state laws. While those laws require that most records be disclosed on request, they also state that certain information should not be disclosed.

The following information has been withheld: **NONE**

If you have any questions or need additional information regarding the information that was withheld, please contact:

Customer Service Center
P.O. Box 47865
Olympia, WA 98504-7865
Phone: (360) 236-4700
Fax: (360) 586-2171

You may appeal the decision to withhold any information by writing to the Privacy Officer, Department of Health, P.O. Box 47890, Olympia, WA 98504-7890.



FILED

OCT 20 2010

Adjudicative Clerk

NOTICE OF DECISION ON APPLICATION

JESS JAY MCCALL
1421 SW BINFORD LAKE PKWY
GRESHAM, OR 97080-7797

Application No. MHCA.MC.60148786
No. M2010-568

The Secretary of Health (Secretary) has decided that your application to be credentialed as a mental health counselor associate is **DENIED**.

If you **disagree** with the decision, and want a hearing, you must indicate that on the enclosed form, sign it, and return it to us at the address listed on the form. You will then be notified of the date of your hearing.

Basis for this Decision

In March 2010, you applied for a credential to practice as a mental health counselor associate in the state of Washington.

In a statement submitted with your application, you admitted to four (4) claims of malpractice and sexual misconduct made against you in the Multnomah County Circuit Court, state of Oregon, by four (4) former adult female clients, in the spring of 1992.

On or about December 22, 1992, you stipulated to an Order filed in the Circuit Court of the State of Oregon for the County of Multnomah, in civil action number 9203-01696. Paragraph 1 of the Stipulated Order stated the following:

1. Defendant Jess J. McCall shall not be involved in direct service or delivery of mental health counseling, psychotherapy, psychiatric counseling or the like to or with females.

On or about June 19, 2009, an Order to Amend Prior Stipulated Order was entered in the Circuit Court of the State of Oregon for the County of Multnomah, in civil action number 9203-01696. Paragraph 1 of the original 1992 Stipulated Order was amended to the following:

1. Defendant Jess J. McCall shall not be involved in direct service or delivery of mental health counseling, psychotherapy, psychiatric counseling or the like to or with females alone without the presence of another male. Defendant Jess J. McCall is permitted to provide direct service and/or delivery of mental health counseling, psychotherapy, psychiatric counseling or the like to

couples consisting of a male and a female, when a male is present for the duration of such service/counseling session.

On June 8, 2010, you were served a Notice of Required Evaluation, instructing you to obtain a psycho-sexual evaluation examination from an approved evaluator within ninety (90) days of the notice. To date, no proof of an evaluation has been received by the Department of Health.

Grounds for the Decision

The Secretary of Health (Secretary) has jurisdiction over this subject matter.

Your application is denied under RCW 18.130.055(1)(e).

RCW 18.130.055 Authority of disciplining authority – Denial of applications.

(1) The disciplining authority may deny an application for licensure or grant a license with conditions if the applicant:

...

(e) Is not able to practice with reasonable skill and safety to consumers by reason of any mental or physical condition.

(i) The disciplining authority may require the applicant, at his or her own expense, to submit to a mental, physical, or psychological examination by one or more licensed health professionals designated by the disciplining authority. The disciplining authority shall provide written notice of its requirement for a mental or physical examination that includes a statement of the specific conduct, event, or circumstances justifying an examination and a statement of the nature, purpose, scope, and content of the intended examination. If the applicant fails to submit to the examination or provide the results of the examination or any required waivers, the disciplining authority may deny the application.

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(ii) An applicant governed by this chapter is deemed to have given consent to submit to a mental, physical, or psychological examination when directed in writing by the disciplining authority and further to have waived all objections to the admissibility or use of the examining health professional's testimony or examination reports by the disciplining authority on the grounds that the testimony or reports constitute privileged communications.


ROBERT NICOLOFF
EXECUTIVE DIRECTOR


JACK BUCKNELL, WSBA #30363
PROGRAM REPRESENTATIVE

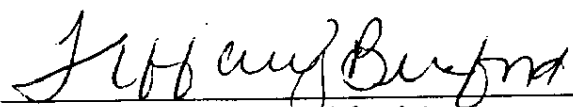
Enclosure

DECLARATION OF SERVICE BY MAIL

I declare that today, in Tumwater, Washington, I placed in the United States Mail, a properly addressed and stamped envelope containing a true and correct copy of this document to the applicant, at the following address:

JESS JAY MCCALL
1421 SW BINFORD LAKE PKWY
GRESHAM, OR 97080-7797

Dated this 20th day of October, 2010

Signature: 
Tiffany Berisford, Legal Assistant